

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F045989 People v. Fochetti

The above-entitled case is submitted for decision.

F045989 People v. Fochetti

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045279 In re Matthew O., a Minor

The true findings on counts 1 and 2 are reversed. The matter is remanded to the Stanislaus County Juvenile Court for a further disposition hearing. Cornell, J.

We concur: Wiseman, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045943 People v. Martinez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F044814 People v. Singh

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F043462 People v. Renteria

The above-entitled case is submitted.

IN THE
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F044896 Protect Our Water et al. v. County of Merced et al.

The judgment is reversed and the matter is remanded to the trial court with directions to (1) vacate its order denying POW's motion for an award of attorney fees, and (2) enter a new order granting such motion, including, after a hearing to be set as soon as practicable, a statement of the amount of the fees awarded to POW, which amount shall be based upon such evidence and authorities as may be presented by the parties at the hearing. Costs on this appeal are awarded to appellants. Dibiaso, J.

We concur: Ardaiz, P.J.; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F046678 In re Jennifer G. et al., Minors

The judgments (orders) appealed from are reversed. The matter is remanded to the juvenile court with directions to (1) vacate the removal order and the orders supporting the removal order; (2) reinstate the initial disposition order; and (3) schedule a section 654 review hearing as soon as practicable. Dibiaso, J.

We concur: Ardaiz, P.J.; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045943 People v. Martinez

The judgment is vacated. The matter is remanded to the trial court pending the court's determination whether or not to reinstate the judgment in case No. 1056582 (appellate case No. F044830). If the court does not reinstate the judgment in that case the order revoking probation is reversed and Martinez shall have the opportunity in the trial court to argue that the fees complained in the instant case are unauthorized. However, if the judgment is reinstated in case No. 1056582, the judgment in the instant case shall also be reinstated and his contentions regarding the fees at issue shall be deemed moot.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047888 In re David H., on Habeas Corpus

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

The petition is granted. Let a writ of habeas corpus issue directing the Clerk of the Superior Court of the County of Kern deem the notice filed in Kern County Superior Court action No. JW88503-09, to be timely filed, and to continue to proceed with the preparation of the record on appeal in accordance with the applicable rules of the California Rules of Court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044830 People v. Martinez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F044830 People v. Martinez

The judgment is reversed. The matter is remanded to the trial court to allow the court to fully inquire into the basis for Martinez's motion for a new trial. If, after further inquiry, the court determines that Martinez has presented a colorable claim of ineffective assistance of counsel, the court must grant the motion for new trial or appoint new counsel to fully investigate and present the motion. If, on the other hand, further inquiry does not disclose a colorable claim, the motion for new trial may be denied and the judgment reinstated.

By the Court.

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